

Abstract

Thesis title: Personal rights of employees

This thesis deals with personal rights of employees, particularly it aims at issues associated with privacy rights, secrecy of correspondence and personal data protection. It is a very relevant and dynamically developing branch of labour law linked to the development and expansion of the application of modern communication technologies in all areas of human activity.

The thesis itself consists of four main chapters. The first chapter discusses personal rights of employees as a category of basic human rights. It analyzes elements from which the personality rights consist of, i.e. which partial rights are included and what are their relations with each other. Simultaneously, this chapter examines all of the main relevant laws, which apply on the issue in question, in descending order determined by their legal force.

The aim of the second chapter is to analyze section 316 of the Labour Code which is the main provision that governs monitoring of employees at work, particularly its admissibility, conditions and information duties of an employer. This chapter also deals with the interpretation of the admissibility or inadmissibility of concealed surveillance and the weakness of the current legislation which is caused by the lack of sanctions for breach of these duties.

In the third chapter, the thesis focuses on three situations that may arise at the workplace. First is the issue of employee monitoring via GPS systems, either in cars or as the individuals. Second is the issue of private e-mail communication at work and the conditions under which an employer is allowed to violate the secrecy of correspondence. Third and final issue is monitoring of employees work on a computer, respectively their internet browsing.

Fourth and final chapter deals with case law, with focus on two selected cases, "Kasalova pila", the Supreme Court of the Czech Republic case, and the Barbulescu v. Romania, the European Court of Human Rights case.